IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

BRIAN M. CLAWSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No.: 6:16-cv-3336**
	)	
ART LOGISTIC, INC., *et al.*,	)	
	)	
Defendants.	)	

DEFENDANT ART LOGISTICS, INC.'S NOTICE OF REMOVAL

Defendant Art Logistics, Inc., pursuant to 28 U.S.C. §§1441 *et seq.*, for its Notice of Removal, states, alleges and avers:

The Parties

1. Plaintiff Brian M. Clawson is a resident and citizen of Alvin, Barzoria County, Texas. (Petition at ¶1).

2. Defendant Art Logistics, Inc. is a resident and citizen of Addison, DuPage County, Illinois. (Petition at ¶ 2)

3. Defendant Daniel J. Kimmel is a resident and citizen of Villa Park, DuPage County, Illinois. (Petition at ¶ 4).

4. Jurisdiction in the matter is based on diversity of citizenship under 28 U.S.C. §1332 as the Plaintiff is a citizen of a different state than either defendant.

5. On July 20, 2016, Plaintiff filed a Petition in the Circuit Court of Taney County, Missouri, Case No. 16AF-CC00737. (Ex. A).

6. Art Logistics accepted service and agreed to an answer date of August 16, 2016, which is less than 30 days after the action was filed. As such, this Removal is timely filed pursuant to 28 U.S.C. §1446(b).

7. The undersigned also represent Defendant Daniel J. Kimmel. He has not yet been served, and does not – at this time – waive service. By and through the undersigned counsel, he consents to this removal.

Amount in Controversy

8. Although the Art Logistics denies liability, the amount in controversy is in excess of the Court's jurisdictional threshold in excess of $75,000.00, as Plaintiff has rejected settlement offers in excess of that amount.

Wherefore, Art Logistics prays that this Court entertain its jurisdiction over this action.

FOLAND, WICKENS, EISFELDER,
ROPER & HOFER, P.C.

/s/ W. James Foland
W. JAMES FOLAND MO #25022
MICHAEL L. BELANCIO MO #50115
911 Main, Suite 3000
Kansas City, MO 64105
816-472-7474
816-472-6262 (fax)
jfoland@fwpclaw.com
mbelancio@fwpclaw.com

ATTORNEYS FOR DEFENDANT
ART LOGISTICS, INC.

CERTIFICATE OF SERVICE

All parties were served by the Court's ECF system, and where not, I hereby certify that a true and accurate copy of the above and foregoing was sent via First Class U.S. Mail, postage prepaid, this 16th day of August 2016 to the following:

Edward D. Robertson III
Mike Meyer
One Hallbrook Place
11150 Overbrook Road, Suite 200
Leawood, KS 66211

/s/ W. James Foland
ATTORNEYS FOR DEFENDANT
ART LOGISTICS, INC.